

## **SECTION III. LAND USE**

### **A. INTRODUCTION**

The Land Use Section consists of a review of existing land use and changes in land use that have occurred since the last Master Plan was adopted in December 1993. Land use goals are articulated, and applied to and interpreted upon the landscape of the City, and as displayed on maps that indicate how land in Concord should be either preserved or used and developed over time. Future land use categories are defined, and the application of the same is described for each of the village/master plan districts within the City. Policies and actions to guide the implementation of the Future Land Use Plan complete this Section of the Master Plan.

The Future Land Use Plan is intended to guide the protection of the City's natural resources and environment while promoting the appropriate and efficient use of land and water within the City of Concord in a manner consistent with the economic, physical, and social needs and desires of the citizens of Concord. In its capacity as New Hampshire's Capital City, Concord's land use planning necessarily requires cooperation with the State of New Hampshire, and as the center of the Central New Hampshire Region, there is a need to coordinate with the Regional Planning Commission as well as the neighboring communities.

### **B. LAND USE GOALS**

The overall goal is to plan and provide for the continued growth and development of the City of Concord, consistent with the desires of its residents to preserve its quality of life, and in a manner which limits sprawl, concentrates residential development in neighborhoods and villages, fosters economic vitality and a vibrant Downtown, as well as maximizes the protection of open space and natural resources. The specific land use goals are to:

1. Retain the Urban Growth Boundary (UGB) as a policy guide for land use, open space, and utility and transportation infrastructure planning in the City, and to discourage sprawl by focusing future development and concentrating demand for services within the limits of the UGB.
2. Protect and conserve important open space, environmentally sensitive areas, and natural resources outside the UGB.
3. Prioritize and maximize the re-use and redevelopment of land and buildings particularly in the downtowns and the Opportunity Corridor, in preference to new development and Greenfield development.
4. Provide for land uses to support economic development which encompasses a broad range of economic activities that provide employment opportunities, facilitate necessary services, and make goods available to the citizenry, as well as expand the tax base of the City.
5. Provide for a variety of housing types and densities, as well as a fair share of the affordable housing needs of the region, to be located in neighborhood, villages, the Opportunity Corridor, and the downtowns.

6. Promote orderly transition among land uses and separate or buffer incompatible uses to the greatest extent possible in order to limit or minimize undesirable impacts to adjacent land uses.
7. Seek the cooperation of the State of New Hampshire and the federal and county governments to ensure that state, federal, and county facilities within the City are developed in a manner consistent with the Master Plan.
8. Coordinate the location, timing and intensity of future development with the availability and capacity of public facilities and utilities, and with the fiscal resources of the community.
9. Provide for the reservation of land area of adequate size and in appropriate location for public facilities and utilities that will serve the future land uses.
10. Coordinate land use planning with transportation planning to ensure that the land use does not overburden the capacity of, or exceed acceptable levels of service within, the City's transportation system, so that individual components of the transportation system are appropriately utilized, and so that the ability to expand the transportation system is preserved where necessary.
11. Protect surface and groundwater resources that could contribute to the City's public water supply, and ensure that the City's plans for growth and development do not exceed the capacity of the City's public water supply to serve the same.
12. Improve and enhance the overall appearance and aesthetics of the community inclusive of architectural features, streetscapes, landscapes, and signage.
13. Continue to recognize, respect, and protect the publicly accessible views of the Statehouse Dome which symbolizes the City's identity as the Capital of the State of New Hampshire.
14. Continue to preserve, respect, and enhance the City's historical resources inclusive of buildings, districts, streetscapes, and landscapes.
15. Provide for constant dynamic monitoring of the City's land use and development through the use of GIS and digital databases.

## **C. LAND CHARACTERISTICS AND EXISTING LAND USE**

### **1. Land Characteristics**

The City's total area is comprised as follows:

Total Land Area:	63.71 square miles
Total Water Area:	3.70 square miles
Total of Land & Water:	67.41 square miles

Much of Concord's land and its use are influenced by the City's extensive water resources. Concord is located in the watershed of the Merrimack River, and the City's other major rivers,

the Contoocook, Soucook, and Turkey Rivers, are all tributaries of the Merrimack. There are 14 Great Ponds (10 acres or more in size) within the City as well as several smaller private ponds and many brooks and streams.

In addition to surface waters, the City has substantial areas of wetlands, as well as vast acreages subject to flooding, and extensive aquifers underlie large areas of the City. A wetland delineation performed for this Master Plan by means of aerial photography interpretation indicates 6,678 acres of wetlands, slightly less than the wetland acreage identified from soil mapping for the 1993 Master Plan.

The City has a long documented history of flooding, primarily in relation to the Merrimack River which meanders from north to south on a broad floodplain that runs through the center of the City. The floodway and floodplain of the Merrimack were mapped by U.S. Army Corps of Engineers in 1966, while similar features were mapped for the Contoocook, Soucook, and Turkey Rivers by the U.S. Department of Housing and Urban Development in 1980, and the Federal Emergency Management Agency in 1999.

The maps of stratified drift formations in Concord as prepared by the U.S. Geological Survey, reveal that aquifers surround and follow the City's major rivers including the Merrimack, Contoocook, Soucook, and Turkey Rivers. The City's own studies have corroborated this and identified those areas where the City could develop the groundwater as a source for its municipal water supply.

With regard to the soils and surficial geology of the City, Concord has areas of steep terrain, underlain by both rock and sand. While each type of resource has historically been quarried or excavated for marketable materials including granite, sand and gravel, these formations also constrain land development due to accessibility, and erodibility. Though use of soil maps, the 1993 Master Plan identified 6,767 acres of slopes in excess of 15% in the City. The steep sandy bluffs that line the Merrimack and Soucook Rivers are unique and fragile examples of one type of formation, while Rattlesnake Hill that rises above West Concord continues to be a source of granite.

Another soil-based resource in Concord is prime agricultural soils, located along the Merrimack River floodplain, in the Turkey River watershed, and in upland locations in East and West Concord. These soils support an active agricultural industry ranging from dairy farming to orchards.

Other natural resources relate to the combination of land and water resources which have led to managed and productive forest resources as well as extensive wildlife habitat. A more detailed discussion of natural resources may be found in Section VII, Conservation and Open Space.

## **2. Existing Land Use**

The City's historic development pattern followed the Merrimack River valley between the floodplains and the granite hills. The water transportation provided by the river in the 18<sup>th</sup> Century was supplanted in 1840 by the railroad which followed the river, and in the 20<sup>th</sup> Century by the Interstate Highway which followed the railroad, all of which have reinforced the historic development pattern. The growth of Concord Heights expanded the development area after World War II. The existing land use, transportation system, and utility infrastructure led to the definition in the 1993 Master Plan of an Urban Growth Boundary (UGB) which is discussed in Part D of this Section, below.

Table III-1 displays the areas devoted to existing land use categories for the land inside and outside of the UGB as well as for the City as a whole. An Existing Land Use Map (Exhibit III-1) has been prepared from which the acreage devoted to various land use categories has been quantified.

**Table III-1. Existing Land Use, 2005**

Land Use	Land Area Inside UGB		Land Area Outside UGB		Total City Land Area	
	acres	%	acres	%	acres	%
Single Family Dwelling	3,705.86		6,433.53		10,139.39	24.87
Two family Dwellings	335.16		86.01		421.17	1.03
Multifamily Dwellings	776.53		12.87		789.40	1.94
Mobile Homes	304.29		17.26		321.55	0.79
Mixed Use (Res/com)	51.26		56.74		108.00	0.26
Institutional	980.31		135.78		1,116.10	2.74
Offices	249.94		11.90		261.84	0.64
Medical	105.89		0.74		106.63	0.26
Commercial/service	682.58		37.78		720.36	1.77
Industrial	599.84		6.45		606.29	1.49
Parking	30.48		2.68		33.16	0.08
Transportation	312.05		13.20		325.25	0.79
Utilities	178.72		57.38		236.10	0.58
Parks and Recreation	505.10		265.17		770.27	1.89
Agriculture	165.64		1,825.32		1,990.96	4.88
Cemeteries	124.44		5.63		130.07	0.32
Excavation	63.08		228.82		291.91	0.71
Vacant/undeveloped	2,926.36		16,878.08		19,804.44	48.58
Land Use Subtotal	12,097.53		26,075.36		38,172.89	93.63
Road & Hwy ROWs					2,595.11	6.37
Total Land Area					40,768	100
Water					2368	100
Total land and water	13,241.60	30.7	29,894.4	69.3	43,136	100

## D. Urban Growth Boundary

The Urban Growth Boundary (UGB) was established in the Master Plan in 1993 as a policy guide for land use, open space, and infrastructure planning, distinguishing those areas intended for urban development from those where development should remain rural in character. It is critical that the City focus its growth and development inside the UGB, maintaining and expanding vital Downtowns for both Concord and Penacook, utilizing present investment in buildings and infrastructure before breaking new ground, urging brown field development and infill before green field conversion. The effect of the UGB will be to limit sprawl, concentrating

### **Exhibit III-1. Existing Land Use Map**

[Insert 11 x 17 graphic]



the demand for municipal services inside the UGB, resulting in efficiencies in providing these services.

The Urban Growth Boundary is intended to provide a clear and stable indication of the City's commitment to growing compactly in its traditional village and neighborhood format, to preserving open space, and to providing predictability of the future character of the City of Concord. The UGB is shaped by a number of factors including existing urban development, sensitive environmental areas, public and institutional ownership, and electric transmission line rights-of-way. However, the ability to provide both municipal sanitary sewer service as well as municipal water service within the limits of existing and planned treatment, storage, and distribution systems is the key variable in defining the UGB along with the provision of supporting transportation infrastructure.

The area outside the UGB is defined by what it is now and what it is intended to be, which is a large area of environmentally sensitive lands and protected open space with interspersed rural development. Dominated by water resources, wetlands, floodplains, steep terrain, prime farmland, and important wildlife habitat, the area outside the UGB is the focus of the Conservation and Open Space Section (ref. Section VII).

These criteria result in the geographic section of the City within the UGB as being a linear area along both sides of the Merrimack River, exclusive for the most part of its floodplains, and including the flat sandy plateau south of Broken Ground all the way the confluence of the Merrimack and Soucook Rivers. This area within the urban growth boundaries consists of approximately 20.7 square miles of land area out of the City's total area of 67.4 square miles, and a citywide land area of 63.7 square miles. As a point of comparison, the City of Portsmouth contains 15.6 square miles of land area and the City of Manchester contains 33.0 square miles. The 67.4-square mile area of Concord is large enough to fit both Manchester and Nashua within its borders, yet those two cities have a current combined population of about 200,000, while Concord's population is 42,000. Manchester had a larger population in 1890 than Concord does today, while Nashua has absorbed continuous growth since World War II such that little undeveloped land remains in either of these cities. In contrast, 93% of Concord's residents now live within the limits of the Urban Growth Boundary which comprises only 31% of the City's area. Substantial open space still remains in Concord, and its geography is quite different from that of the State's two largest cities.

## **E. NEW DIRECTIONS FOR THE CITY'S LAND USE**

### **The Opportunity Corridor**

- **Implement the type of economic development and mixed land use initiatives for the Opportunity Corridor that are presented and illustrated in the Opportunity Corridor Master Plan and the Southern Opportunity Corridor Plan.**

The Opportunity Corridor is the City's highest priority economic development effort with its focus on redevelopment and an intensive mix of land uses inclusive of office, retail, service, institutional, high density residential, and lodging. Low intensity and minimal tax productive uses such as open lot storage are not desired within the Opportunity Corridor nor are uses such as big box retailing with intensive trip generation characteristics and requirements for extensive parking fields. Addressed in three sections from north to south, the Opportunity Corridor lies between I-93 and Main Street, from Horseshoe Pond to the South End Marsh (ref. Exhibit III-2). South of the Water Street bridge, and west of the railroad tracks, the traffic, visual, historic, and

environmental impacts of future redevelopment of this area are of particular concern as the Opportunity Corridor directly abuts the South End neighborhood. The land use in the Opportunity Corridor is related to certain transportation system improvements planned in conjunction with NHDOT's efforts to improve safety and add capacity to I-93. An important feature of the transportation-land use interface is a connection over I-93 from the Opportunity Corridor to the banks of the Merrimack River between Exits 13 and 14 of I-93, thereby restoring the historic relationship between Downtown Concord and the river, making its recreational amenities available again to the citizenry.

### **Traditional Neighborhood Development**

- **Promote the residential infill within the Urban Growth Boundary in existing villages and neighborhoods in traditional architectural forms and densities that mimic the traditional older neighborhoods of the City, containing mixtures of single family homes, duplexes, and structures with up to four dwelling units on variable sized lots to be developed in grid block patterns which promote connectivity with the neighborhood.**

As an option for infill and for using transferred development rights, residential development would be permitted in a traditional neighborhood format based on the architectural forms and densities of Concord's existing older neighborhoods which contain mixtures of single, duplex, three- and four-unit dwellings located in a grid street system that features connectivity within the neighborhood. The scale and massing of structures, as well the orientation of structures to the street are also key features of the traditional neighborhoods.

### **Mandatory Cluster Development Outside the UGB**

- **Require cluster development for subdivisions outside of the Urban Growth Boundary both as a means of preserving more open space as well as preventing sprawl on the rural landscape.**

Mandating cluster subdivisions became an option under RSA 674:21, Innovative Land Use Controls, in 2004 when the language was modified from giving municipalities the right to allow cluster developments as an option, to granting municipalities the right to require cluster developments "when supported by the master plan". Essentially, standard or conventional subdivisions, wherein the entirety of the premises is divided into lots, would no longer be permitted, and cluster subdivisions, wherein a certain amount of open space is set aside and not divided into houselots, would be the only option available.

A comparative review was made of cluster vs. conventional subdivisions outside of the UGB that were developed over the five year period following the adoption of a new Zoning Ordinance in 2001 which revealed that the cluster subdivisions yielded substantial amounts of protected open space while at the same time providing a slightly greater number of lots than conventional subdivisions on a per acre basis. An observed qualitative benefit of the cluster subdivision was the limitation on the fragmentation of the land due to the requirement for common open space and contiguous portions thereof, thereby retaining open land in a format that is viable for agricultural operations and forest management, while preserving wildlife habitat. Other benefits of cluster development to be promoted are the potential linkages between individual cluster subdivisions and the City's open space system with its pedestrian and bicycle trails, and connections among cluster developments both in terms of the developed portions as well as the open space.



## **Exhibit III-2. The Opportunity Corridor**

[insert 8 ½ x 11 graphic]



In March of 2007, the City adopted a mandatory cluster ordinance covering essentially all of the area outside of the UGB. The ordinance provided for options to allow for a standard subdivision as long as an amount of open space is protected that is commensurate with the requirements of the cluster regulations.

### **Density Reductions Outside of the UGB & Density Increases inside of the UGB**

- **In order to limit sprawl, reduce residential development density outside of the UGB and balance any loss of potential dwelling units by providing options for increased residential density within the UGB**

Areas outside of the Urban Growth Boundary inclusive of important natural resources, environmentally sensitive areas, and lands that are generally difficult to develop, are included in a natural resource land use category that allows rural residential development at density not to exceed 0.25 dwelling units per acre. Rural residential development on the remaining land outside of the UGB would be allowed at density not to exceed 0.5 dwelling units per acre. As previously discussed, all residential development that does occur outside the UGB should be required to be in a cluster development format.

The density reductions outside the UGB and the resultant loss of potential dwelling units are to be balanced by density increases and absorption of dwelling units inside the UGB by several means including a potential transfer of development rights (TDR) program, Traditional Neighborhood Development standards, possible development of a new village, and inclusion of high density housing in redevelopment of the Opportunity Corridor and the Downtowns of Concord and Penacook.

With regard to a potential TDR program, transferring development rights involves an identified source or donor area from which the development rights are taken, and a recipient area or an area where to which rights are transferred. Mechanisms have to be defined for acquiring the development rights, valuing these rights, and for utilizing them, and the transfer system has to make sense within the overall Land Use Plan for the City. In this case, the transfer of rights would be from the area outside of the UGB, which would be the donor area. The mechanism for acquisition would simply be the purchase of an open space parcel or a contribution to the Conservation Fund on a per acre basis at a rate set annually by the City. In the latter case, the funds would then be available to the Conservation Commission to purchase land or rights in land to protect it in a manner consistent with the purposes of the Fund.

Transferring the development rights to areas inside the UGB requires choosing specific districts and types of developments wherein the transferred dwelling units can be utilized, and establishing maximum density limits over and above the standard limits. The largest amount of developable land is in the Medium Density Residential land use category which is limited to the some of the lowest densities in the area inside the UGB and is the least intensively utilized. It is in these areas that the transferred units could be most easily absorbed by raising the allowable densities. The increased densities could be integrated into higher density cluster developments or in Traditional Neighborhood Developments.

### **Village Policy**

- **Protect and enhance existing villages, and provide the opportunity to consider a “new village” by defining a new village in terms of performance standards, and which may be implemented if the opportunity arises and the village is deemed appropriate under the performance standards.**

Existing villages should be protected and enhanced with infill of the high density residential neighborhoods and diversification of the mixed use commercial cores, to be served by appropriate public infrastructure and facilities including parks and schools.

The possibility of the development of a new village in Concord was suggested by the Vision 20/20 process. Including an integral mixed use core and surrounding residential development at higher densities, the Vision 20/20 plan displayed such a new village graphically in the southerly portion of Garvins Falls. During the development of the Master Plan, other possibilities were explored for new villages, one in East Concord, and one in West Concord. While these prototypical locations of “new villages” were not well received by the public, the Planning Board agreed to retain the concept of a new village to be included in the Master Plan in terms of performance standards. In the event an opportunity arises to consider a new village in a specific location, these standards would allow for evaluation of the same, and determination of the appropriateness and viability within the context of the overall Master Plan. The standards for consideration of a new village would include acceptable access, presence of municipal utilities and services, minimal environmental impacts, and compatibility with surrounding land uses.

### **Economic Development Initiatives other than Opportunity Corridor**

- **Preserve the potential for the comprehensively planned economic development of Garvins Falls, and continue to develop other sites for office and industrial parks.**

While the development of Garvins Falls was always seen as requiring a staged approach over a number of years due to the scale and cost of the undertaking, there is a need for the City to continue to plan and implement in phases the necessary utility and transportation infrastructure to support the economic development. While past and current economic studies have focused attention on the potential for a high value office park, the infrastructure staging may take long enough that other economic initiatives may become more attractive over time. The key to the development of this area is that it be comprehensively planned as an entity, and that its value not be lost or diminished by piecemeal actions. Any comprehensive plan prepared for this area should recognize the value of open space within the context of appropriate economic development.

In the near term, the development of an office park between Manchester Street and Integra Drive, and office parks and industrial parks east of the Concord Airport and southerly along Whitney Road should continue.

### **Open Space Preservation and Environmental Protection**

- **Provide for the protection of open space in accordance with the Conservation and Open Space Section; continue to provide for the regulatory protection of wetlands, floodplains, shorelands, bluffs and steep slopes, as well as the Penacook Lake watershed; and initiate actions to provide protective measure for the aquifers which underlie the City in recognition of their potential as sources of potable groundwater supplies.**

The priorities for open space protection have been identified in the Conservation and Open Space Section and these priorities may be accomplished by means of direct acquisition by the City or by other conservation organizations, as well as through the regulatory requirements of cluster developments in the area outside the UGB. The rezoning of 2001 incorporated past

recommendations of the Master Plan for regulatory measures addressing environmental and natural resource protection. While some measures, such as the floodplain and watershed restrictions, have been part of Concord's regulations for more than 30 years, others, such as the buffers to wetlands and bluffs were new features. This body of regulation should be perpetuated, and the protection of aquifers and the conservation of the City's groundwater resources should be codified and added to the Zoning Ordinance.

## **Coordination of Land Use and Transportation Planning**

- **Expand and improve the regulatory standards for access management while continuing to plan land use patterns in recognition of the capacity and levels of service of the existing and planned transportation infrastructure, and in a manner that promotes connectivity, and fosters the use of transit, preserves the potential for rail transportation, and enhances pedestrian and bicycle mobility.**

The City's land use regulations have for some time incorporated standards relating to access management which are intended to enhance safety and preserve the capacity of adjacent streets. There is a linkage between intensive land uses, particularly those of high density and those focused on economic development, and the adequacy of the capacity of the adjacent transportation infrastructure. A new direction in coordination between land use and transportation lies in identifying the areas where traffic is not desired and to be discouraged, specifically by not adding capacity but by focusing on safety improvements, and by designing street systems to promote connectivity and transit ridership as well as pedestrian and bicycle mobility. While the potential for rail transportation may not be realized during the life of this plan, land use planning must recognize and preserve the capacity for the eventuality of rail service in the future.

## **F. FUTURE LAND USE CATEGORIES DEFINED**

The following land use categories are defined to clarify the intent of the Future Land Use Plan, and to establish a clear linkage between the Future Land Use Plan and the land use regulations that will be prepared to implement the Plan. The Urban Growth Boundary (UGB) provides the basic division between the areas of rural development and open space, and the area of and for urban development. The majority of the land inside the UGB should be devoted to residential and non-residential uses, while outside the UGB, the majority of the land area should be maintained in some form of open space or natural resource related use such as agriculture, forestry, or low impact recreational activities. The boundaries between land use categories are established consistent with the above-referenced goals and policy recommendations.

### **Outside The Urban Growth Boundary**

#### **Rural/Open Space Land Use Categories**

Residential development in the area outside the UGB should only occur in cluster subdivisions in order to maximize the area devoted to open space and minimize the area converted to development. Building heights should be consistent with the prevailing height of existing structures in rural open space land use categories. Agricultural, forestry, and outdoor recreational uses should be allowed but other non-residential uses generally allowed in urban residential categories, such as schools, churches, child care facilities, should not be permitted because of the lack of municipal utilities and transportation infrastructure, and the difficulty of providing life safety services to the same.

**1. (RR) – Rural Residential.** This category encompasses land areas where there have been previous patterns of low density residential development together with agricultural, forestry, and outdoor recreational uses. In the future, residential development supported by individual wells and septic systems and at a density not to exceed 0.5 dwelling units per acre, would be allowed only in the form of cluster developments. The maximum lot coverage or impervious surface area (ISA) should not exceed ten (10) percent. The RR Land Use Category could be a donor area for a potential Transfer of Development Rights (TDR) program.

**2. (NRP) Natural Resource Protection.** This category includes areas of the City natural resources consisting of wetlands, floodways, undeveloped floodplains, water resources, streambanks and shoreline buffer areas, steep and erodible slopes, prime agricultural soils, productive forest lands, aquifers used for water supplies, and wildlife habitat. While much of this land would be deemed environmentally sensitive, it is also difficult to develop due to the presence of physical features such as wetlands, floodplains, and steep and erodible slopes. There is some low density residential development included within these areas and it should be allowed to continue supported by individual wells and septic systems, at a density not to exceed 0.25 dwelling units per acre, and only in the form of cluster developments. The maximum lot coverage (impervious surface area) should not exceed five (5) percent. Agricultural, forestry, and recreational uses would also be encouraged within the physical constraints of the land. The NRP Land Use Category could also be a donor area for a potential Transfer of Development Rights (TDR) program.

## **Inside The Urban Growth Boundary**

### **Residential Land Use Categories**

Building heights should be consistent with the prevailing height of existing structures in residential land use categories. A range of non-residential uses should be allowed in residential land use categories inside the UGB including schools, churches, child care facilities, and parks and recreational facilities subject to appropriate design and performance standards that address impacts to the neighborhoods from traffic, parking, noise, odor, and light. Uses ancillary to residences should also be allowed in these residential land use categories such as home occupations and provision of child care, subject to appropriate design and performance standards that address potentially negative impacts to the neighborhoods.

**3. (RL) - Low Density Residential.** Certain areas within the UGB do not presently have municipal utilities but have been identified as areas which are capable of being serviced. Single-family housing on moderate sized lots have been allowed and continue to be envisioned as the primary use within this category until such time as the utilities are available to support higher densities and a more diverse range of residential uses. The density should not exceed one (1) dwelling unit per acre, and the maximum lot coverage or impervious surface area (ISA) should not exceed twenty (20) percent. Clustering of dwelling units should be encouraged. If utilities are extended to these areas, then such portions of the RL Land Use Category should be deemed to have been converted to the Medium Density Residential (RM) Land Use Category.

**4. (RM) - Medium Density Residential.** In this area of the UGB, single family dwellings, two-family dwellings, cluster developments, planned unit developments, as well as multi-family for the elderly have been developed and future residential development should include a similar range of residential uses with the inclusion of a new category of “traditional neighborhood development (TND)”. The RM Land Use Category could be a recipient area for a potential Transfer of Development Rights (TDR) program. The base density for non-elderly housing in this area would be a maximum of three (3) units per acre with the ability to increase the density

to a maximum of five (5) units per acre by using transferred development rights. Housing for the elderly would have a base density of a maximum of six (6) units per acre with the ability to increase to a maximum density of ten (10) units per acre by using transferred development rights. Municipal water and sewer is required to support development at these densities. Maximum lot coverage or impervious surface area (ISA) should not exceed forty (40) percent.

**5. (RU) - Urban Residential.** This area of the UGB encompasses the substantially developed urban neighborhoods and village centers consisting of single family dwellings, two-family dwellings, attached dwellings, as well as multi-family for the elderly, and future residential development should include a similar range of residential uses with the inclusion of a new category of “traditional neighborhood development (TND)”. The maximum density for non-elderly housing in this area would be ten (10) while the maximum density for housing for the elderly would be fourteen (14) units per acre. Municipal water and sewer is required to support development at these densities. Maximum lot coverage or impervious surface area (ISA) should not exceed sixty (60) percent.

**6. (RH) - High Density Residential.** This area of the UGB incorporates the fully developed neighborhoods of mixed residential uses including mobile home parks, in locations surrounding the downtowns of Concord and Penacook, as well as along some of the City’s major collector roads. Densities should not exceed fourteen (14) units per acre with full municipal utility services. Maximum lot coverage or impervious surface area (ISA) should not exceed sixty (60) percent.

### **Mixed (Residential and Non-residential) Land Use Categories**

Residential land uses will be permitted in each of these land use categories at densities related to the intensity of other land uses within the category and to the proximity of these category to other residential land use categories. The residential uses are part of a mix of compatible and related land uses that include office, retail, service, lodging, restaurant, and entertainment which while part of the City’s economic development, are also intended to provide service and employment to the local residents.

**7. (UT) Urban Transitional.** - This mixed use category recognizes areas of mixed use between established residential neighborhoods and existing commercial and industrial development. In the UT land use category, existing buildings and lots will be allowed to be converted to office, personal service, and high density residential uses, in a manner which will buffer and otherwise insulate the residential neighborhood from the traffic, visual, light, noise, and other impacts associated with the commercial development. A new category of “traditional neighborhood development (TND)” would also be allowed. Maximum lot coverage or impervious surface area (ISA) would not exceed seventy-five (75) percent and building heights should be consistent with the prevailing height of existing structures in the UT land use category.

**8. (CN) - Neighborhood Commercial.** Neighborhood commercial areas are characterized by their small scale, generally two to five acres in size, their compactness, and their location within established and developing residential areas. A range of residential uses should be permitted together with small scale convenience retail and personal service uses intended to serve a surrounding residential neighborhood. The non-residential uses in the CN Category are not intended to impose impacts of excessive traffic, noise, or light upon the surrounding neighborhood, and are intended to be compatible in scale and appearance with adjacent residential uses. Maximum lot coverage or impervious surface area (ISA) should not exceed eighty (80) percent and building heights should be consistent with the prevailing height of existing structures in the CN land use category. Buildings should be oriented to the street with

parking placed to the side and rear, and buffering and screening for adjacent neighborhoods are of concern for development in this land use category.

**9. (CG) - General Commercial.** The general commercial category includes general retail sales and services, professional and business offices, restaurants, and personal service establishments, as well as multi-family residential uses at densities not exceeding fourteen (14) units per acre. Located along some of the City's major collector roads, the general commercial category requires good vehicular access as the non-residential uses may serve a citywide market. This category is not intended to accommodate motor vehicle sales and repairs, heavy vehicular sales and service, wholesaling, warehousing, manufacturing and uses requiring extensive outside storage, or other types of activities which may generate nuisance impacts of noise, dust, fumes, and light. Maximum lot coverage or impervious surface area (ISA) should not exceed eighty (80) percent, while building heights should be consistent with the prevailing height of existing structures in the CG land use category. Buildings should be oriented to the street with parking placed to the side and rear, attention given to pedestrian access, and buffering and screening for adjacent neighborhoods are of concern for development in this land use category.

**10. (CD) – Downtown Commercial.** The downtown commercial category includes the traditional downtowns of Concord and Penacook, incorporating a wide range of uses including retail, restaurant, service, entertainment, cultural, lodging, office, governmental, and high density residential uses as well as mixed use, high intensity developments. The majority of uses in the urban core are housed within architecturally significant 19th century structures in a pedestrian-oriented area, with little or no on-site parking, and parking is generally provided in structures and on the street.

North and south of older downtown core within Concord and south of downtown in Penacook, the range of uses should be similar but on-site parking is a necessity. Lot coverage (ISA) should not exceed eighty (80) percent and building heights should be consistent with the prevailing height of existing structures.

**11. (OC) Opportunity Corridor –** The Opportunity Corridor is an area designated for redevelopment into high intensity uses including office, institutional, governmental, small and medium size retail and service uses, and lodging, as well as high density residential uses to be located in the area between I-93 and Downtown Concord from Horseshoe Pond on the north to Exit 13 on the south, and then continuing southerly between Hall Street and South Main Street as far south as the South End Marsh. Development design standards for buildings and signs in the District should improve the visual character of the City as seen from the highway, provide an inviting entryway to the City's historic Downtown, and incorporate screening for adjacent neighborhoods

In the area south of the Water Street Bridge, north of the South End Marsh, and westerly of the railroad tracks, retail and services uses should be limited to those allowed in a neighborhood commercial category, and non-residential land uses should not exceed 30% percent of the total floor area. The area south of the Water Street Bridge and easterly of the railroad tracks is in the floodplain and as such, is not appropriate for residential development. This area, between the tracks and the backs of the properties fronting on Hall Steer is included in an Office Park category to facilitate a campus style development.

**12. (IS) Institutional.** The institutional category identifies large scale governmental, educational, healthcare, and cultural facilities together with medical and professional offices and high density residential uses supported by full municipal utility services and with access to the City's collector and arterial street system. Maximum lot coverage or impervious surface area (ISA) should not



exceed seventy-five (75) percent, while building heights should be consistent with the prevailing height of existing structures in the IS land use category.

## **Non-Residential Land Use Categories**

These land use categories are intended to accommodate uses related primarily to the City's economic development. No residential land uses are envisioned in these land use categories other than caretaker units for certain primary non-residential uses, in part to limit any undesirable impacts from non-residential development on residential development from traffic, noise, odor, glare, and dust, as well as visual impacts, as well as the lack of connectivity of these area to neighborhood facilities that support residential land uses. The restriction of residential uses in these areas is also intended to maximize the opportunity for return to the City's tax base from the development of non-residential uses in these categories.

### **13. (CR) Regional Commercial -**

The regional commercial category includes well designed, large scale commercial development along arterial and major collector streets at entrances to the City. Permitted uses include both individual and mixed use developments of retail, restaurant, service, and office uses intended to serve a citywide and/or regional market. Fully serviced by municipal utilities, the uses developed within this land use category are expected to adhere to high standards for appearance in order to ensure that the gateways to the City are attractive and functional. Buffering and screening for adjacent neighborhoods are of concern for development at the edges of this land use category. Maximum lot coverage or impervious surface area (ISA) should not exceed eighty (80) percent, while building heights should be consistent with the prevailing height of existing structures in the CR land use category.

**14. (CH) Highway Commercial -** The highway commercial category includes general retail sales and services, professional and business offices, restaurants, and personal service establishments, as well as motor vehicle sales and repair uses. Located along arterial and major collector roads, the highway commercial category requires good vehicular access as the uses may serve a citywide and/or regional market. Maximum lot coverage or impervious surface area (ISA) should not exceed eighty (80) percent, while building heights should be consistent with the prevailing height of existing structures in the CH land use category.

**15. (IN) - Industrial.** The industrial category is designed for industrial development that includes offices, manufacturing, and research and development facilities, warehousing wholesaling, and vehicular maintenance and services, wherein the primary use of property is located within buildings and structures, and any outside sale and storage of materials, bulk material processing and storage is ancillary to the primary use and limited in area in relation to the floor area of primary structures. These areas should not be located close to environmentally sensitive areas or to residential neighborhoods unless adequate screening is provided for such adjacent neighborhoods. Full municipal utility services should be available as should access to the City's collector and arterial streets. Access may also be available to rail and air transportation services. Architectural and site design, noise, and emissions should be carefully regulated. Lot coverage (ISA) should not exceed eighty (80) percent and building heights should be consistent with the prevailing height of existing structures in the IN land use category.

**16. (OP) Office Park –** This category provide for large scale, integrated developments of professional offices, research and development, and educational facilities together with supporting uses including lodging, conference, health and fitness, as well as outdoor recreational uses. No outside storage should be allowed. Design standards should provide for

a unified plan of development as an office park or campus-style setting. There should be an emphasis on the quality of architectural design of buildings which are to be compatible with their natural surroundings and adequately screened from any adjacent neighborhoods. Full municipal utility services and access to the City's collector and arterial streets are essential characteristics. Lot coverage (ISA) should not exceed sixty (60) percent for Greenfield development, and seventy-five (75) for redevelopment areas. Building heights should be consistent with the prevailing height of existing structures in the OP land use category.

## **SPECIAL LAND USE FEATURES**

**(PR) - Parks and Recreation Sites.** This category includes existing and proposed public or private recreational facilities, golf courses or other intensely managed outdoor recreational uses requiring extensive areas of land.

**(PS) - Public and Private Schools.** This category includes existing and planned public elementary and secondary school sites, along with the existing private schools (K-12).

**(TU) - Transportation and Utilities.** This category refers to private and public utility facilities such as sewage treatment plants, water treatment plants and storage tanks, electric substations, natural gas facilities, telecommunications substations, and the steam heating plant. This category also refers to airports, heliports, bus, and train stations. Highways, electrical transmission lines, and natural gas transmission mains are not specifically noted on the land use maps but are included within this classification. Parking lots and facilities as principal land uses are included within the various non-residential and mixed use categories.

**(CM) – Cemeteries.** This category includes the public and private cemeteries located in the City.

## **G. THE FUTURE LAND USE PLAN**

The Future Land Use Plan reflects general City policy for the future use of land and conservation of resources. The Future Land Use Plan has been prepared in conformity with the overall goals and policies articulated in this section. The Future Land Use Plan is supported by population, housing and employment forecasts; is influenced and constrained by existing land uses, natural features, state and federal regulations, and the desire to conserve natural resources; is influenced and constrained by the availability of public facilities and utilities and the ability to provide public facilities and services in a cost-effective manner; is influenced by the desire of the citizens to preserve and enhance their quality of life; and is influenced by the desire to strengthen and expand the economy and tax base in a sustainable fashion. The Future Land Use Plan is displayed on Exhibit III-3.

### **1. Future Land Use for each Village or Master Plan District**

Each Village or Master Plan District possesses unique characteristics which require special attention in the Future Land Use Plan. In some instances there are preconditions associated with the development of land uses shown on the maps, or a clarification in regard to the range of uses recommended for a site, or special recommendations for how a particular area should be developed.

**a. Penacook Village** – Residential development inside the UGB in Penacook will be mostly infill on scattered sites of modest size throughout the Medium Density and Urban Residential land use area of Penacook Village as the majority of large lots have been developed or have already received approvals for development. The pending redevelopment of the former Allied Tannery site in the Downtown Commercial area should lead to other high density residential redevelopment activity in the downtown and the High Density Residential area around it. Other residential development may occur as part of mixed use development in an Urban Transitional land use category along Village Street between downtown Penacook and the General Commercial node at the intersection with Fisherville, Borough, and Manor Roads, as well as along Fisherville Road southerly of this intersection.

Economic development will be diversified with commercial and mixed use development including retail, offices, and restaurants centered in the Downtown Commercial area and the General Commercial at the intersection of Village Street with Fisherville, Borough, and Manor Roads. Land along the existing Whitney Road will continue to be Industrial with a Neighborhood Commercial category on a site at the entry from Route 4 to facilitate support services to the employees of the industrial land uses as well as residents in the Hoyt Road area. Land between the Merrimack River and I-93, north of Sewalls Falls Road on the future extension of Whitney Road should become an Office Park in order to take advantage of the views of the river while limiting environmental impacts to, and visual impacts from the river and its bluffs and floodplains. The existing Hoyt Electrical Instruments on Meter Street and Beede Electric on Village Street are long standing light industrial uses with all operations and storage activities occurring indoors, and as such are included in the Industrial category. However, due to their respective locations, with the former in downtown Penacook and the latter surrounded by the Merrimack Valley Schools, if these industrial uses are discontinued as such, then the land use plan should be amended to designate the Hoyt site for High Density Residential or Institutional and Beede as Institutional.

Outside of the UGB, there is very little developable land remaining to accommodate new dwelling units. Areas to be designated Rural Residential include land along Elm Street and River Road. Perpetuation of the agricultural activities in the Merrimack and Contoocook River floodplains, as well as protection of the wetlands of the Great Bog are to be fostered as part of the City's conservation and open space preservation activities (ref. Section VII.) and these areas are to be included in the Natural Resource Protection category.

**b. West Concord** - Residential development inside the UGB in West Concord will include infill on scattered sites of modest size throughout the Medium Density, Urban, and High Density Residential land use areas. Areas of Low Density Residential development should occur north of Hutchins Street and westerly of North State Street, as well as at the westerly edge of existing development between Bog and Borough Roads. In the former instance, a new water tank will be needed to provide the necessary water pressure for the expansion of the municipal water system to serve this area, and in the latter case, the expansion of municipal utilities and the identification of wetlands are critical to defining the extent of this category. Once the utility expansions and extensions are completed and the wetlands identified, then these areas should be shifted to the Medium Density Residential category.

Economic development in West Concord consists of mixed use in the Urban Transitional land use category along Fisherville Road with several nodes of General Commercial, and a Neighborhood Commercial category at the intersection of Knight and North State Streets. There are two Industrial areas, one on the west side of North State Street at the entry to the granite quarry on Rattlesnake Hill, and the other on the east side of North State Street opposite the City's General Services headquarters.

Outside of the UGB, while the majority of the area will be in the Natural Resource Protection category, areas designated Rural Residential include land along West Parish Road, Broad Cove Drive, Carter Hill Road northerly of West Parish, River Road, Horse Hill Road, and Elm Street. Perpetuation of the agricultural activities in the Merrimack and Contoocook River floodplains, as well as protection of the Penacook Lake Watershed and the wetlands related to the Great Bog on both sides of Bog Road, and conservation of the Broad Cove-Mast Yard-Horse Hill area and the Pine Hill-District #5 area, are to be fostered as part of the City's conservation and open space preservation activities (ref. Section VII); therefore, these areas are included in the Natural Resource Protection category. Large areas in this category are already in City ownership or under conservation easement to the City, while other lands are held by the State including a conservation easement on Rossvie Farm, and a conservation easement held by Five Rivers Conservation Trust on the Carter Hill Orchard.

**c. East Concord Village** - Residential development inside the UGB in East Concord will include infill on scattered sites of modest size throughout the Medium Density Residential land use areas both north and south of the village center, and in the Urban Residential area in and around the village. The remaining large parcels in the Low Density category west of Exit 17 of I-93 which extends southerly past Sewalls Falls Road will continue to develop at this density unless and until municipal utilities are extended under I-93 to serve this area and transform it to a Medium Density area.

Economic development areas include the Neighborhood Commercial category in the village on Eastman Street at East Side Drive, the currently redeveloping Office Park area on the site of the former Eastman Foundry, as well as the Industrial area on Locke Road, which has few remaining lots and no longer has the capability to expand to the north.

Outside of the UGB, areas designated Rural Residential include land along Hoit, Graham, Snow Pond, and Shaker Road. The Natural Resource Protection category will encompass the Hoit Road Marsh as well as adjacent land along the City's northern boundary with Canterbury, the environs of Hot Hole Pond, Oak Hill, and Broken Ground, as well as the Merrimack River floodplain where agricultural activities should be perpetuated.

**d. Concord Heights** – Inside the UGB, areas of the High and Medium Density Residential land use category lie north and south of a mixed use corridor along Loudon Road. Land northerly of Old Loudon Road has municipal water available with sewer readily extendable such that this area should be included in the High Density Residential land use category. Two areas of Medium Density Residential land use lie west of Airport Road, one just south of Loudon Road, and the other southerly of Terrill Park Drive. Land northerly of the commercial strip along Manchester Street as well as northerly of Old Suncook Road is included in the High Density Residential category. The Low Density Residential category along Garvins Falls Road will remain in this category until the sanitary sewer system is extended southerly to encompass this area.

Extensive areas of existing as well as future economic development are located on the Heights, including areas for mixed use, commercial development, industrial development, and office parks. The easterly end of Loudon Road and northeasterly end of Route 106 southerly of I-393 is included in the Regional Commercial category, southerly from Old Loudon Road, and easterly from Branch Turnpike and Pembroke Roads including Triangle Park Drive. At the westerly end of Loudon Road, the southerly side in the area of Gully Hill Road is also in the Regional Commercial category, while the northerly side is included in the Institutional category along with the State office park on Hazen Drive. A General Commercial category encompasses most of the frontage along Loudon Road between Airport Road and Branch Turnpike and Old Loudon Road, with some frontage in the High Density Residential and Institutional.

**Exhibit III-3. Future Land Use Plan**

**[Insert 11 x 17 graphic]**



Manchester Street is designated as Highway Commercial from Garvins Falls Road easterly to Airport Road, while the west end of Manchester Street between Garvins Falls Road and Old Turnpike Road is included in the Regional Commercial category.

The NH National Guard Reservation at the corner of Airport and Loudon Roads is included in an Institutional area together with the land immediately to the east which is being acquired for runway buffering north of the airport. The land along the east side of Airport Road that directly abuts the municipal airport is also included in an Institutional category.

Industrial areas on the Heights include a triangular-shaped land area on Terrill Park Drive, Old Turnpike Road, and Airport Road; land south of Pembroke Road on Route 106, Industrial Park Drive, the east end of Regional Drive, and portions of Chenell Drive. Integra Drive is also included in an Industrial category.

Office park areas lie south of Pembroke Road between Canterbury Road and land on the east side of Chenell Drive, with another area to the north of Pembroke Road just east of the powerlines, and a third southerly of Chenell from the end of the airport property easterly across Route 106. An area reserved for future Office Park development lies south of Manchester Street westerly of Integra Drive. Southerly of this, the developable plateau between the Soucook and Merrimack Rivers referred to as the Garvins Falls area, will require utility and transportation infrastructure in order to maximize its true capability for economic development, and was the focus of a special Master Plan study and amendment in 1996. Recent economic studies continue to indicate that Office Park is an appropriate designation; however, as previously discussed in this Section, the development of this area will likely progress in stages over a long period of time, so that the most important aspect of the future land use is that it be the outcome of a comprehensive plan for the entirety of the Garvins Falls area, aimed at maximizing the economic benefits to the City while recognizing the open space values of the area.

Outside of the UGB, areas designated Rural Residential include land at the easterly edge of existing development along Portsmouth Street northerly of I-393 and at the westerly edge of Broken Ground, as well as land along Josiah Bartlett Road together with the area of Asby and Old Dover Roads easterly of Route 106. Broken Ground itself is included in the Natural Resource Protection category along with the floodplains of the Merrimack and Soucook Rivers, and the Karner Blue preserve on Chenell Drive. There are some lands in this category that are in City and State ownership as well as under easement thereto.

#### **e. Downtown Concord and the Opportunity Corridor**

North and South Main Streets have traditionally been the focal point of Downtown Concord which encompasses land from Storrs Street on the east to North State, South State, and Green Streets on the west, and from I-393 on the north to Kelley Square on the South. The Downtown has three distinct components foremost of which is the central business district between Centre Street and Theatre Street, wherein there is mixed land use in multi-story buildings which rise at the back of the sidewalks, and where parking is on street in metered spaces or off street in parking garages. To the north and south of the central business district are more mixed land uses but at a lesser intensity and with some on-site parking. To the west of the central business district is a civic district, classified as Institutional, and which includes local, county, state, and federal governmental offices, courts, and libraries together with a mixture of offices, churches, and residential structures. The civic area runs from Washington Street on the north to Wall Street on the south, and follows Pleasant Street westerly to South Spring Street.

The Opportunity Corridor has been recognized to include the land between Storrs Street and I-93 from Horseshoe Pond on the north to the South End Marsh on the south. Much like the Downtown, the Opportunity Corridor has three distinct components: the north end which lies northerly of Loudon Road, the central area between Loudon Road and Water Street, and the south end, southerly of Water Street to the South End Marsh, and westerly of Hall Street. This area was the focus of two special planning efforts during the preparation of this Master Plan, one that set forth recommendations for high density, mixed land use in the three subareas. A second plan, which focused attention on the South End, proposed a high density urban village west of the railroad and an office or educational campus east of the tracks, which is to be included in an Office Park category (ref. Exhibit III-4).

#### **f. The North and West Ends**

Inside the UGB, areas of High Density and Urban Residential lie between Downtown and Auburn Street, from Pleasant to Penacook Streets, including the northerly end of North Main Street at Horseshoe Pond Lane which is also the City's only local Historic District. Auburn Street and areas to its west are in the Medium Density Residential category as is the neighborhood around Redington Road and a section of Pleasant Street between St. Paul's School and the medical complex adjacent to Concord Hospital..

In addition to the portions of the Downtown and Opportunity Corridor described above, economic development areas in the North and West Ends include Institutional areas opposite the State Office Park South on Pleasant Street, and the section of Pleasant Street heading westerly from Concord High School including the campus of Concord Hospital and the adjacent medical offices, as well as the campus of St. Paul's School. Other Institutional areas in the North and West Ends include the intersection of North State and Bouton Streets, the west side of North State Street from Penacook Street to Palm Street, and the land south of Maguire Street easterly of the former rail line. The land along of North State Street north of Rumford Street up to Maguire Street, not otherwise included in the Institutional area, is classified as Urban Transitional.

Neighborhood Commercial areas include the intersection of South Fruit, Pleasant, and Warren Streets, as well as Washington and Rumford Streets, and Penacook at North State Streets.

Outside of the UGB, areas designated Rural Residential include land along Hopkinton Road from Loop Road westerly to Shenandoah Drive, and Currier Road from Hopkinton Road to Shenandoah Drive. The Natural Resource Protection category will include the Penacook Lake watershed, land northerly of Pleasant Street and Hopkinton Road along Fisk and Long Pond Roads, Jerry Hill, the upper reaches of the Ash Brook watershed along the Hopkinton townline, Dimond Hill, Little Turkey Pond, the Turkey River, and the agricultural land and wetlands east of the Turkey River, as well as portions of the floodplain of the Merrimack River. St. Paul's School, the State, and the City are major land owners in this area with conservation easements on certain parcels held by the Society for the Protection of New Hampshire Forests, Five Rivers Conservation Trust and the Nature Conservancy.

#### **g. The South End**

Inside the UGB, areas of High Density and Urban Residential lie between Downtown and the State's Office Park South, from Pleasant Street southerly to Rollins Park. Medium Density Residential abuts these higher density areas to the west and south between Clinton Street and the Bow Town line. An area of Low Density Residential lies west of Birch Street, southerly of Clinton Street, and bounded on the west by the Turkey River.



**Exhibit III-4. Southern Opportunity Corridor**

**Insert 8 ½ x 11**



Economic development areas include the Neighborhood Commercial category at McKee Square; mixed used Urban Transitional areas along South State Street and continuing southerly along South Main Street; a Highway Commercial area on Route 3A southerly of I-93; and three Institutional areas with the first being at the southerly end of Donovan Street adjacent to I-93, another along Clinton Street from South Fruit Street westerly, and the last west of South Main Street in the area of Pillsbury and Maitland Streets. Some of the economic development areas of the South End are addressed within the Downtown and Opportunity Corridor as noted above. As previously noted, the southern Opportunity Corridor was the focus of a special study that proposed a high density urban village west of the railroad and an office or educational campus east of the tracks. Hall Street is another part of the South End devoted exclusively to economic development. The Hall and Water Street intersection is in a General Commercial category continuing southerly down Hall Street to just north of Hammond Street, south of which the land is included in an Office Park category, excluding Elmwood Avenue just north the I-93 overpass which remains in an Industrial category. The land southerly of I-93 to the Bow townline and westerly of Hall Street also remains in an Industrial category. The east side of Hall Street north of the wastewater treatment plant including all of Basin Street should be the focus of Brownfield remediation efforts, and when such is accomplished, be redeveloped as an Office Park in light of its location on the banks of the Merrimack River.

Outside of the UGB, areas designated Rural Residential include land along Silk Farm Road southerly on Clinton Street as well as land along Birchdale Road and Hooksett Turnpike. The Natural Resource Protection category will encompass Great Turkey Pond, the Turkey River, Turee Brook and its associated wetlands, and the South End Marsh, as well as portions of the Merrimack River floodplain. A substantial amount of this land area is owned by St. Paul's School, with other lands under the protective domain of the State Department of Resources and Economic Development, the City, and the Audubon Society of New Hampshire.

## **2. The Future Land Use Plan for areas of special concern relative to environmental protection and historic preservation**

There are a number of environmental features as well as historic sites that have been mapped and should continue to be accorded protection through land use regulatory measures. More detail is provided on these respective feature and site in Section VII, Conservation and Open Space, and Section VIII, Historic Resources. Of particular concern are the floodplain and floodway, shoreland protection for surface water resources, and watershed protection for Penacook Lake as the City's public water supply. These features have all been mapped and have been the focus of special zoning overlay districts and should continue to be in terms of the restriction of certain land uses and special permits required for certain types of development therein. To this group of environmental protection measures should be added the mapping and protection of the aquifers that underlie large parts of the City, as recommended in the 2006 Water Master Plan.

With regard to historic resources and districts, as noted in the discussion of the North and West Ends above, there is only one local historic district that has been identified, acknowledged, and codified for the past 40 years, and it should continue to be so recognized. As noted in the Historical Resources Section, there are other National Register Districts in existence in the City as well as areas identified as being eligible for similar designation, and these may be worthy of consideration for local recognition and designation.

## **H. LAND USE POLICIES AND RECOMMENDATIONS FOR FURTHER LAND USE PLANNING**

### **1. Land Use Policies**

#### Policies related to Land Use Regulations

- a. Revise and amend existing land use regulations to implement and effectuate the Future Land Use Plan as contained in this Master Plan inclusive of new and revised zoning districts; use regulations; dimensional, density, and design standards; development formats; requirements for buffers and mitigation related to adverse visual aesthetic impacts as well as impacts due to intrusive noise, light, and traffic; and regulations to preserve and protect sensitive and important natural and environmental resources.
- b. Revise and amend existing development regulations to protect the health and safety of residents; to manage nuisances; and to protect against hazards to life and property from natural and man-made disasters.
- c. Utilize the physical characteristics of the land as a principal determinant of its ultimate use and intensity of development; such physical characteristics to include the following: current and historical land uses; soil characteristics; flooding potential; wetlands, surface waters, and associated shorelines and buffer areas; agricultural and silvicultural production potential; aquifer protection and recharge requirements; historical structures, significant views and environmental amenities; and wildlife habitat potential.
- d. Revise and amend existing development regulations to promote the orderly transition of land uses and to buffer incompatible uses wherever possible.

#### Residential Land Use Policies

- e. Allocate land resources for residential development based on the following considerations: historical settlement patterns; preservation and enhancement of existing residential neighborhoods; traffic generation, access to, and impact on transportation facilities; compatibility with and impact on abutting land uses; land suitability, environmental impacts, and avoidance of significant environmental features; impact on existing and planned public facilities and utilities; and demand and absorption rate for various types of housing in varied price ranges.
- f. Consider the development and implementation of a Transfer of Development Rights (TDR) program that will provide for the transfer of residential development capacity from land outside of the Urban Growth Boundary to land inside of the Urban Growth Boundary, both as a means of preserving more open space outside the UGB as well as a means of providing additional housing opportunities inside the UGB.
- g. Develop and implement standards and provisions for Traditional Neighborhood Developments (TND) both as a means of utilizing residential development rights that may be transferred under a TDR program, as well as to allow for infill development. The standards for architectural design, dwelling unit type, density, and grid pattern blocks should be based on the characteristics of traditional neighborhoods that have existed in Concord since before World War II.

- h. Consider the establishment of a new village if the opportunity presents itself and the proposed location is within the Urban Growth Boundary, can be served with municipal utilities, can be provided with reasonable access to the City's collector and arterial road system, has minimal impact on the City's natural resources, and is compatible with adjacent land uses.
- i. Develop and implement standards and provisions for mandatory cluster subdivision in the area outside the Urban Growth Boundary in order to protect open space and provide more efficient opportunity for rural residential development.
- j. Develop and implement provisions for high density residential development within the northern and central sections of the Opportunity Corridor as well as the urban residential village in the south end of the Corridor, westerly of the railroad tracks.
- k. Prevent the intrusion by inappropriate non-residential uses into residential neighborhoods.

#### Mixed (Residential and Non-residential) Land Use Policies

- l. Develop and implement standards and provisions for high intensity mixed use development in the northern and central sections of the Opportunity Corridor, as well as the small scale mixed use development to support the residential uses in the south end of the Corridor, westerly of the railroad tracks.
- m. Provide for a mixture of residential and non-residential land uses of a type, and at a scale and density appropriate to and compatible with the surrounding land uses, in the Downtowns, along Loudon Road and portions of Fisherville Road, as well as in areas of transition between residential neighborhoods and non-residential development.
- n. Continue to encourage and support public and private development and redevelopment in Downtown Concord and Penacook, and within the Opportunity Corridor.

#### Non-Residential Land Use Policies

- o. Allocate land resources for commercial and industrial development based on the following considerations: traffic generation, access to, and impact on, transportation facilities; location and site requirements based on specific needs of prospective industrial and commercial uses, their market area, and anticipated employee and floor area requirements; compatibility with and impact on neighborhoods and abutting land uses; land suitability, environmental impacts, and avoidance of significant environmental; and impact on existing and planned public facilities and utilities.
- p. Provide land for industrial parks, office parks, and areas of intensive and extensive commercial activity that will support the City's economic development as well as expand the tax base of the City.
- q. Foster the economic development of the Garvins Falls area based on a comprehensive plan, including the appropriately staged implementation of utility and transportation infrastructure.
- r. Develop and implement standards and provisions for an office or educational campus in the southeasterly section of the Opportunity Corridor.

#### Policies related to Facilities, Infrastructure, and Fiscal Capacity

- s. Provide new development and redevelopment areas within the Urban Growth Boundary (UGB) with municipal sanitary and potable water service, private utility services, and transportation infrastructure in a timely manner, and to prohibit utility expansions outside of the UGB.
- t. Coordinate the location, timing and intensity of future residential and nonresidential development with the availability of public facilities and utilities and with the physical and fiscal resources of the community.
- u. Establish and maintain an early acquisition program for right-of-way corridors and sites for parks, schools, and other land extensive public facilities in advance of need.
- v. Evaluate the fiscal impacts of development on the City's tax base and utilize impact fees and exactions to mitigate the adverse fiscal impacts of new development, while providing impact fee credits as an incentive for strategic redevelopment areas.

#### Environmental and Natural Resource-related Land Use Policies

- w. Provide for the protection of the City's natural and environmental resources including wetlands, floodplains and floodways, surface waters, groundwater and aquifers, shorelands, bluffs and erodible slopes, prime agricultural lands, productive forest lands, and unique wildlife habitat.

#### Transportation-related Land Use Policies

- x. Facilitate access management, connectivity, and pedestrian and bicycle mobility in the implementation of the land use plan.
- y. Ensure the retention of land for rights-of-way or the expansion of existing rights-of-way that will provide capacity for transportation improvements where necessary and appropriate to support the land use plan.
- z. Retain the capacity for future rail service to and through the City by protecting rail corridors, restricting any diminution of the transportation capacity of these corridors, and promoting compatible adjacent land uses.

#### Historical Resources-related Land Use Policies

- aa. Continue to identify historical resources throughout the City and endeavor to preserve, protect, and promote the re-use of these resources as appropriate.

#### Land Use Policies related to design, aesthetics, and community appearance

- bb. Improve and enhance the overall community appearance by continuing to foster a uniform design review process, and by preserving and enhancing significant historical sites and buildings, as well as scenic vistas and natural amenities.
- cc. Promote and promulgate high standards and provisions for architectural and landscape architectural design, site planning, and sign design, and the implementation of the same, within residential, non-residential, and mixed use development throughout the City, as well as in all developments fostered within the community by the City, County, State, or Federal governments as well as the Concord and Merrimack Valley School Districts.

- dd. Review existing architectural and appearance guidelines for buildings and sites, and to develop specific guidelines for non-residential and mixed use areas, which are tailored to the particular character of these areas, and address the level of incompatibility between prospective adjacent land uses and the need for appropriate buffering.
- ee. Ensure that Downtown Concord and Penacook are attractive, livable, workable, and walkable.

#### Policies related to County, State, and Federal Facilities within the City

- ff. Obtain the cooperation of Merrimack County, the State of New Hampshire and the federal government in an attempt to ensure that county, state and federal facilities are sited and developed in a manner consistent with the Master Plan.
- gg. Encourage the State Legislature to adopt, and implement, plans for the use of State land and facilities consistent with the City's Master Plan, and to encourage the City, and the New Hampshire State Legislature and Executive Branch to develop processes which allow coordination between the City and State in regard to development or redevelopment on State lands.

## **2. Recommendations for Further Land Use Planning**

### **a. Village/neighborhood Plans**

The Master Plan Statute (RSA 674:2) provides for a "neighborhood plan section which focuses on a specific geographical area of local government that includes substantial residential development. This section is a part of the local master plan and shall be consistent with it. No neighborhood plan shall be adopted until a local master plan is adopted."

The City had embarked on such an effort with the Neighborhood Planning Program which was begun in 2001 and was terminated in 2006. The area of the South End surrounding Rumford School, which came to be referred to as the Abbott Downing Neighborhood, was the focus of the first neighborhood planning project which resulted in the preparation of a neighborhood plan, the establishment of a neighborhood organization, the provision of grants and loans for housing rehabilitation, and a coordinated effort by the City for the improvement of infrastructure, installation of traffic calming and pedestrian safety measures, and enhancement of the streetscape.

A second neighborhood planning effort was underway in the North End between White Park and North Main Street when the program came to an end. Once again, the effort involved the provision of grants and loans for housing rehabilitation, and a coordinated effort by the City for the improvement of infrastructure, installation of traffic calming and pedestrian safety measures, and enhancement of the streetscape. Other such efforts had been envisioned for the Heights and Penacook.

The City should renew its efforts to implement neighborhood planning efforts within each of the Village/Master Plan Districts, with a goal of accomplishing one plan each year. Consultant assistance can supplant the role played by the Neighborhood Planner to facilitate the same kind of coordinated effort that has been played out in the South and North Ends.

### **b. Basin Street Brownfield Redevelopment Plan**

A planning effort should be initiated to evaluate the environmental cleanup requirements for the properties along Basin Street. The access to the area from the interstate is good, and the location adjacent to I-93 and on the banks of the Merrimack River should be a viable one for a higher use than the automobile recycling yards that occupy the land. A market evaluation should also be made to review the then current conditions and to ensure that a redevelopment will provide a contribution to the City's tax base. The location is in the floodplain which rules out residential uses, but an office park type use appears to be appropriate and viable, and the area is represented as such in the future land use plan.

### **c. Re-evaluation of the Merrimack River flood limits**

Seek the cooperation of the NH Office of Energy and Planning (NHOEP) and Federal Emergency Management Agency (FEMA) in the re-evaluation of the floodplain and floodway limits along the Merrimack River, particularly in light of the storm and related flood events of the last few years as well as the failure of the 1999 FEMA mapping to include historically major storm events in its computer modeling efforts.

## **I. SUPPORTING STUDIES**

Airport Master Plan Update, Concord Municipal Airport, Concord NH, prepared for the City of Concord, NH by Hoyle, Tanner Associates, Inc., May 2006.

An Economic Development Strategy, City of Concord, NH, Northern Economic Planners and LandUse, Inc., January, 1993.

City of Concord Master Plan Year 2010 Update, Concord Planning Board & Concord Planning Department, Concord, NH, December 15, 1993.

Concord Master Plan Community Survey, prepared by The NorthMark Group, 2004.

Concord, NH Southern Opportunity Corridor, Terrence DeWan & Associates, December 19, 2006.

Concord Opportunity Corridor Master Plan, prepared for the City of Concord by the Cecil Group, Inc., with Rizzo Associates, Bluestone Planning Group, and Bonz and Company, March 2006.

Concord Wetland Mapping Study, prepared by James W. Sewall Company, 2004.

Economic Development and Tax Base Expansion Plan for the City of Concord, NH, prepared by Bonz and Company, Inc., 2005

Growth and Change: An Analysis of Concord, NH, prepared by Planning Decisions Inc., 2004.

Planning Study Report 1974, Concord, NH, prepared for the City Planning Board by Community Planning Services, September 27, 1974, together with Land Use Plan map as modified in 1982.

Zoning Ordinance for the City of Concord, New Hampshire. Adopted November 29, 2001 with zoning map and revisions through January 2007.